

AMENDED IN ASSEMBLY APRIL 10, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1787

Introduced by Assembly Member Lowenthal

February 18, 2014

An act to *amend Section 21019 of, and to add Section 21668.3 to, the Public Utilities Code, relating to aviation.*

LEGISLATIVE COUNSEL’S DIGEST

AB 1787, as amended, Lowenthal. Airports: commercial operations: lactation accommodation.

~~Existing~~

(1) *Existing* law requires every employer to provide a reasonable amount of break time to accommodate an employee who desires to express breast milk for the employee’s infant child. Existing federal law requires employers to provide the employee with the use of a room, other than a bathroom, for the employee to express breast milk, as specified.

This bill would, *except as specified*, require, *on or before January 1, 2016*, the airport manager of an airport that conducts commercial operations *and that has more than 1,000,000 enplanements a year* to provide ~~the use of a room or other location, other than a toilet stall, at each airport terminal behind airport security screening for members of the public to express breast milk in private.~~ *at each airport terminal behind the airport security screening area for members of the public to express breast milk in private that meets specified conditions.*

~~Because a violation of this provision would be a crime, the bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason:~~

~~(2) Because the bill would impose new duties on local public officials, the bill would create a state-mandated local program.~~

~~(3) A violation of the State Aeronautics Act is a crime.~~

~~The bill would expressly exclude its provisions as a crime under the act.~~

~~(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21019 of the Public Utilities Code is
2 amended to read:

3 21019. Any person violating any of the provisions of this part,
4 other than Section 21407.1 or 21668.3, or any of the rules or orders
5 issued under this part, is punishable by a fine of not more than one
6 thousand dollars (\$1,000) or by imprisonment of not more than
7 six months, or both.

8 ~~SECTION 1.~~

9 SEC. 2. Section 21668.3 is added to the Public Utilities Code,
10 to read:

11 21668.3. ~~The~~ (a) On or before January 1, 2016, the airport
12 manager of an airport that conducts commercial operations and
13 that has more than one million enplanements a year shall provide
14 ~~the use of a room or other location, other than a toilet stall, at each~~
15 ~~airport terminal behind airport security screening for members of~~
16 ~~the public to express breast milk in private. at each airport terminal~~
17 behind the airport security screening area for members of the

1 *public to express breast milk in private that meets both of the*
2 *following conditions:*

3 *(1) Includes, at a minimum, a chair, an electrical outlet, and a*
4 *sink.*

5 *(2) Is located outside of the confines of a public restroom.*

6 *(b) Terminal One at the San Diego International Airport is*
7 *exempt from providing a room or other location behind the airport*
8 *security screening area, but shall provide a secure room located*
9 *in the same terminal prior to entering the security screening area*
10 *that meets all of the other conditions of subdivision (a).*

11 *(c) Airports that conduct commercial operations with less than*
12 *one million enplanements a year shall comply with subdivision (a)*
13 *upon new terminal construction or the modernization of existing*
14 *terminal facilities.*

15 *SEC. 3. If the Commission on State Mandates determines that*
16 *this act contains costs mandated by the state, reimbursement to*
17 *local agencies and school districts for those costs shall be made*
18 *pursuant to Part 7 (commencing with Section 17500) of Division*
19 *4 of Title 2 of the Government Code.*

20 ~~SEC. 2. No reimbursement is required by this act pursuant to~~
21 ~~Section 6 of Article XIII B of the California Constitution because~~
22 ~~the only costs that may be incurred by a local agency or school~~
23 ~~district will be incurred because this act creates a new crime or~~
24 ~~infraction, eliminates a crime or infraction, or changes the penalty~~
25 ~~for a crime or infraction, within the meaning of Section 17556 of~~
26 ~~the Government Code, or changes the definition of a crime within~~
27 ~~the meaning of Section 6 of Article XIII B of the California~~
28 ~~Constitution.~~